

Filed in open court 3/11/05 (kw)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 05-12-GMS

TRACY LAMAR FISHER,

Defendant.

U.S. DISTRICT COURT
CLERK
DISTRICT OF DELAWAREMAR 11 2005
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FILED

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because the case involves (**check all that apply**):

Crime of violence (18 U.S.C. § 3156)
 Maximum sentence life imprisonment or death
 10+ year drug offense
 Felony, with two prior convictions in above categories
 Serious risk defendant will flee
 Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

Defendant's appearance as required
 Safety of any other person and the community

3. **Rebuttable Presumption.** The United States will NOT invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (check one or both):

Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

At first appearance

After continuance of 3 days (not more than 3).

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By:


Adam Safwat
Assistant United States Attorney

DATED this 11th day of March, 2005.